

UNITED STATES DISTRICT COURT

OCT - 5 2020

for the

Western District of Virginia

JULIA C. DUDLEY, CLERK

BY: 

DEPUTY CLERK

In the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)22222 Pickett Lane, Abingdon, Virginia
For: Person of Justin Lowe, D.O.B.: 05/01/1992

Case No. 1:20mj141

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

The person of Federal Fugitive Justin Michael Lowe, a White, Male,
DOB:05/01/1992; SSN: 227-65-4107.

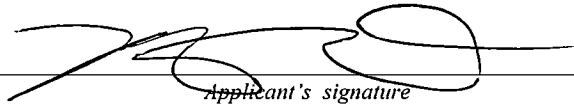
located in the Western District of Virginia, there is now concealed (identify the person or describe the property to be seized):

The residence, curtilage, vehicles, outbuildings, and mobile conveyances attached to E-911 address 22222 Pickett Lane, Abingdon, Virginia. Address is located off the first drive way on left after entering Pickett Lane from Rt. 75. It is a single story home located alone on a hill, as the only residence.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☐ evidence of a crime;
- ☐ contraband, fruits of crime, or other items illegally possessed;
- ☐ property designed for use, intended for use, or used in committing a crime;
- ☒ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section
18 U.S.C. 3583Offense Description
Violation of the terms and conditions of supervised release.The application is based on these facts:
-See Attachment "A"-☒ Continued on the attached sheet.☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Matthew S. Davis, SDUSM

Printed name and title

Sworn to before me and signed in my presence.

Date:

10/5/20

City and state: Abingdon, Virginia



Judge's signature

Pamela Meade Sargent, USMJ

Printed name and title

Attachment to Affidavit for Search Warrant

Re: 22222 Pickett Lane, Abingdon, Virginia

For: Person of Justin Lowe

Your Affiant hereby swears and deposes the following:

Affiant is a Supervisory Deputy United States Marshal and has been employed by the U.S. Marshals Service, as a Deputy Marshal, since 2001. Your affiant is charged with investigating, locating, and apprehending federal fugitives from justice, and may apply for a search warrant pursuant to federal code.

On August 25, 2020, the United States District Court for the Western District of Virginia issued a warrant for arrest for Justin Michael Lowe for violations of the terms and conditions of his supervised release. Lowe was notated on the absconder form as a white male, DOB: 5/1/1992, SSN: 227-65-4107, with the accompaniment of a known photograph of the same.

On October 2, 2020, your Affiant petitioned the United States Attorney's Office for a pen register and trap and trace order on the Facebook account known to belong to Justin Lowe, as articulated by a close associate, Emily Webb. Said order was issued and served on Facebook, Inc. appertaining to the account <https://www.facebook.com/justin.lowe.16940>.

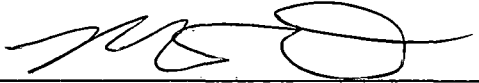
On October 5, 2020, Facebook, Inc. complied with said order and your Affiant began to receive internet protocol log activations from which the known account of Lowe was being activated. The internet protocol log address (IP) 67.232.87.117 was found to be currently activated by Lowe on October 5, 2020. Research of law enforcement databases revealed that IP address 67.232.87.117 is owned and leased by Centurylink, an electronic service provider. Pursuant to the same order, your Affiant contacted Centruylink and requested subscriber information and physical address attached to the annotated IP. Centurylink responded that said IP address is leased to Gerald Anderson, 22222 Pickett Lane, Abingdon, Virginia 24211, located within Washington County, Virginia in the Western District of Virginia. As of October 5, 2020, at 1533hrs EDT, Mr. Lowe's account has continued to activate said IP address, and has done so 7 times throughout the date notated, as noted the activations began transmission to your affiant at 06:38 UTC hrs, and have continued with subsequent activations of 14:43hrs UTC, 14:45hrs UTC; 15:08hrs UTC, 16:12hrs UTC, 16:21hrs UTC, 19:28hrs UTC, 19:38hrs UTC, 19:52hrs UTC.

In addition, header information, received from the Facebook, Inc. responses to the pen register order, denote that the target account is exchanging messages with a Shannon Tiller, as recently as October 5, 2020. A credit database search of the address of 22222 Pickett Lane, Abingdon, Virginia, shows the most recent person to be associated with said address to be a Robin Tiller. A credit database comprehensive report of Robin Tiller, denotes Shannon Tiller as a relative of Robin Tiller.

From the training and experience of your Affiant, persons utilizing a wifi IP to activate their known Facebook account, must be on the premises and/or in exceptionally close proximity to do so, as it

pertains to a subscriber's address. In the instance of the residence requested for search, it sits on a side road, with only three residences collected closely. Further, the distance from which the target residence is located to the next residence is over 200 feet, making it unlikely that the IP is being activated from the house of a neighbor, and most likely the target residence. As annotated on public search forums, the average home router is only capable of transmitting and receiving at a maximum distance of 160 feet, barring obstructions with a stock antenna.

Based upon the aforementioned information, your Affiant believes probable cause exists to search the aforementioned residence for the person of Lowe, who is activating his known Facebook account from the same.

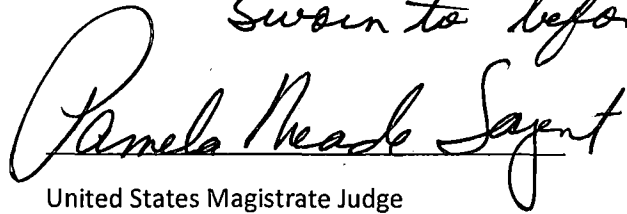


Matthew S. Davis

10/5/2020

Date

Sworn to before me this 5th day of October, 2020.



United States Magistrate Judge